

APPEAL NO. 032617
FILED NOVEMBER 20, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on September 2, 2003. The hearing officer determined that: (1) the respondent/cross-appellant (claimant) sustained a compensable repetitive trauma injury; (2) the date of injury is _____; (3) the compensable injury does not include right-sided thoracic outlet syndrome, reflex sympathetic dystrophy, and depression; (4) the claimant has not had disability; and (5) the appellant/cross-respondent (carrier) is not relieved from liability under Section 409.004, because the claimant timely filed a claim for compensation. The carrier appeals the injury and timely filing determinations on sufficiency of the evidence grounds. The claimant urges affirmance of these determinations but cross-appeals the extent-of-injury and disability determinations on sufficiency of the evidence grounds. The carrier, in turn, urges affirmance. The hearing officer's date-of-injury determination was not appealed and has become final. Section 410.169.

DECISION

Affirmed.

We have reviewed the complained-of determinations and conclude that the issues involved fact questions for the hearing officer. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations are supported by the record and are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The decision and order of the hearing officer is affirmed.

The true corporate name of the insurance carrier is **TRINITY UNIVERSAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**DONALD GENE SOUTHWELL
10000 NORTH CENTRAL EXPRESSWAY
DALLAS, TEXAS 75265.**

Edward Vilano
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Margaret L. Turner
Appeals Judge